

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION


| | | |
|-----------------------------|---|---------------|
| MATRIX ENVIRONMENTAL, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 09 C 5396 |
| |) | |
| GLOBAL DREDGING, INC., |) | |
| |) | |
| Defendant. |) | |

MEMORANDUM ORDER

Rocco Cavo ("Cavo"), who lists himself as President of defendant Global Dredging, Inc. ("Global") has just mailed to this District Court a document captioned "Motion for Extension of Time in Which to File Answer to Complaint, Objection to Improper Venue and Motion to Quash Service of Process." But under the law no corporation may appear or act in a matter through any nonlawyer representative (even its sole shareholder, if such is the case)--instead it is necessary for a member of the bar to act on behalf of the corporate party. This District Court's LR 83.12 contains the ordinary provision governing attorney representation, although LR 83.14 permits counsel who is not a member of the bar of this District Court to appear on motion and the payment of a \$50 fee (if that is done, LR 83.15 calls for the designation of a local counsel, who is not required to handle the case substantively but is authorized to receive notices of motion and other filings).

That being the case, the motion must be and is denied.¹ Moreover, the submission appears to contain some indicia of lawyer input already (it refers to and quotes 28 U.S.C. §1391(a) and cites 28 U.S.C. §1406(a) and Fed. R. Civ. P. 4(h)) in the course of making its arguments as to assertedly improper venue and assertedly improper service of process.

This denial is without prejudice to the potential consideration of a properly brought motion. In the meantime, the originally scheduled October 20 status hearing is expected to go forward.



Milton I. Shadur
Senior United States District Judge

Date: October 13, 2009

¹ As chance would have it, the document (though dated October 1) was received in the Clerk's Office on October 7, when this Court was already en route to sit with the Court of Appeals for the Ninth Circuit in San Francisco for the balance of the week. This memorandum order is being issued immediately on this Court's return to chambers on October 13 (October 12 having been a federal holiday).